

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 38261128WO STE/JLG	FOR FURTHER ACTION		See item 4 below
International application No. PCT/EP2005/000239	International filing date (<i>day/month/year</i>) 13 January 2005 (13.01.2005)	Priority date (<i>day/month/year</i>) 23 February 2004 (23.02.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant VALEO SCHALTER UND SENSOREN GMBH			

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).																								
2.	This REPORT consists of a total of 8 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 15%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 35%;">Box No. I</td> <td style="width: 50%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input checked="" type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 04 October 2006 (04.10.2006) Authorized officer <p style="text-align: center; font-weight: bold;">Agnes Wittmann-Regis</p> e-mail: pt06@wipo.int
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PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference
38261128WO STE/JLG

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/EP2005/000239

International filing date (day/month/year)
13.01.2005

Priority date (day/month/year)
23.02.2004

International Patent Classification (IPC) or both national classification and IPC
G08G1/16, B60Q1/52

Applicant
VALEO SCHALTER UND SENSOREN GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

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Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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Box No. II

Priority

1. ☐ The following document has not yet been furnished:

☐ copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

The validity of the priority claim has not been considered because the International Searching Authority does not have in its possession a copy of the earlier application whose priority has been claimed or, where required, a translation of that earlier application. This opinion has nevertheless been established on the assumption that the relevant date (Rules 43bis.1 and 64.1) is the claimed priority date.

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>2-15, 17</u>	YES
	Claims <u>1, 16</u>	NO
Inventive step (IS)	Claims _____	YES
	Claims <u>1-17</u>	NO
Industrial applicability (IA)	Claims <u>1-17</u>	YES
	Claims _____	NO

2. Citations and explanations:

1. Reference is made to the following documents:

D1: US 541 0 346

D2: US 594 9 331

2. Claim 1

Document D1 is considered to be the closest prior art to the subject matter of claim 1. It discloses "a system and method for increasing road safety" (the references between parentheses refer to this document) which discloses each feature from claim 1:

A method for graphically processing an image of the surroundings of a motor vehicle (figure 1) which is provided by a camera device (figure 3(10)),

in particular in the direction of travel of the motor vehicle for a viewer, in particular the driver of the motor vehicle, characterized by detecting an obstacle (figure 21) in the surroundings of the motor vehicle (figure 21, "detection distance") and determining its real

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

position, preferably relative to the position
of the motor vehicle (column 7, lines 20-39);

determining the real position of the obstacle
in the surroundings and the corresponding
position of the obstacle in the image provided
by the camera device; and carrying out the
processing of the image taking into account
the determined position of the obstacle in the
image (figure 21, column 21, lines 53-57).

Claim 1 is therefore not novel (PCT Article 33(2)).

3. Claim 14

Since claim 14 merely corresponds to an embodiment
(a computer program) of the method of claim 1, the
subject matter of claim 14 is not to be considered
inventive (PCT Article 33(3)).

4. Claim 16

Document D1 is considered to be the closest prior
art to the subject matter of claim 1. It discloses
"a system and method for increasing road safety"
(the references between parentheses refer to this
document) which discloses each feature from claim 1:

warning device for a motor vehicle, comprising
a camera device (figure 3 (10)) for producing
images of the surroundings of the motor
vehicle, preferably in the direction of
travel; an image processing device
(figure 3(100)) for processing the images

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

produced by the camera device;

and a device for displaying the processed image to a viewer, in particular the driver of the motor vehicle (figures 21-24, column 22, lines 49-51);

characterized in that an obstacle detection/distance measuring device (figure 1(2), column 7, lines 23-26) is provided for detecting an obstacle in the surroundings around the motor vehicle and determining the real position of the obstacle, preferably with respect to the motor vehicle (figure 21, column 7, lines 20-39);

a transformation device (figure 1 (20)) is provided for transforming the real position of the obstacle in the surroundings into a corresponding position of the obstacle in the image of the camera device;

and the image processing device is designed to carry out the processing of the image of the camera device taking into account the determined position of the obstacle in the image (figure 21, lines 53-57).

Claim 1 is thus not novel (PCT Article 33(2))

5. Claims 2-13, 15, 17

The dependent claims 2-13, 15, 17 do not contain any

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features which, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step (PCT Article 33(3)). The reasons for this are as follows:

Claims 2-11, 15, 17

The additional features of these claims are considered to be conventional measures in the field, see in particular D1 and D2. For this reason, the additional subject matter of claims 2-11, 15, 17 cannot be considered to be inventive.

Claims 12, 13

See in particular the system of D2 (column 14, claims 21, 23) which warns the driver early and clearly of danger by displaying potential collision objects in a brighter or coloured fashion.